## IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

UN	IITED STATES OF AMERICA	)
	Plaintiff,	) 8:07MJ110 )
	vs.	) ) DETENTION ORDER
RE	NE ADRIAN SANDOVAL-VALENZUELA,	) )
	Defendant.	<b>,</b>
A.	Order For Detention After conducting a detention hearing pursuan Act on July 12, 2007, the Court orders the abto 18 U.S.C. § 3142(e) and (i).	nt to 18 U.S.C. § 3142(f) of the Bail Reform bove-named defendant detained pursuant
B.	conditions will reasonably assure the	because it finds: nce that no condition or combination of appearance of the defendant as required. t no condition or combination of conditions
C.	distribute methamphetam a minimum sentence of te life imprisonment (b) The offense is a crime of (c) The offense involves a na	s Report, and includes the following: c offense charged: to distribute and possess with intent to ine in violation of 21 U.S.C. § 846 carries in years imprisonment and a maximum of violence -
	may affect wheth The defendant hat The defendant hat The defendant hat The defendant is The defendant d ties. Past conduct of t The defendant hat The defendant hat The defendant hat The defendant hat	of the defendant including:  ppears to have a mental condition which her the defendant will appear.  as no family ties in the area.  as no steady employment.  as no substantial financial resources.  not a long time resident of the community.  oes not have any significant community.  the defendant:  as a history relating to drug abuse.  as a history relating to alcohol abuse.  as a significant prior criminal record.  has a prior record of failure to appear at s.

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		(a)	Release pending trial, sentence, appeal or completion of sentence.
		(C)	Other Factors:  X The defendant is an illegal alien and is subject to deportation.
			The defendant is a legal alien and will be subject to deportation if convicted.
			The Bureau of Immigration and Custom Enforcement (BICE) has placed a detainer with the U.S. Marshal.  Other:
X	(4)		nature and seriousness of the danger posed by the defendant's se are as follows: the nature of the charges in the Complaint.
Χ	(5)		ttable Presumptions ermining that the defendant should be detained, the Court also relied
		on the	following rebuttable presumption(s) contained in 18 U.S.C. § 3142(e)
	X		the Court finds the defendant has not rebutted: That no condition or combination of conditions will reasonably
			assure the appearance of the defendant as required and the safety of any other person and the community because the Court finds that
			the crime involves: (1) A crime of violence; or
			X (2) An offense for which the maximum penalty is life
			imprisonment or death; or  X (3) A controlled substance violation which has a maximum
			penalty of 10 years or more; or  (4) A felony after the defendant had been convicted of two
			or more prior offenses described in (1) through (3)
			above, <u>and</u> the defendant has a prior conviction for one of the crimes mentioned in (1) through (3) above which
			is less than five years old and which was committed
	Χ	(b)	while the defendant was on pretrial release.  That no condition or combination of conditions will reasonably
		_	assure the appearance of the defendant as required and the safety
			of the community because the Court finds that there is probable cause to believe:
			X (1) That the defendant has committed a controlled
			substance violation which has a maximum penalty of 10 years or more.
			(2) That the defendant has committed an offense under 18
			U.S.C. § 924(c) (uses or carries a firearm during and in relation to any crime of violence, including a crime of
			violence, which provides for an enhanced punishment
			if committed by the use of a deadly or dangerous weapon or device).
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## D. Additional Directives

- Pursuant to 18 U.S.C. § 3142(i)(2)-(4), the Court directs that:

  1. The defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable from persons awaiting or serving sentences or being held in custody pending appeal; and
  - The defendant be afforded reasonable opportunity for private consultation with counsel; and

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3. That, on order of a court of the United States, or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED: July 12, 2007. BY THE COURT:

s/Thomas D. Thalken United States Magistrate Judge